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UNCLAS SECTION 01 OF 02 LILONGWE 000376

SIPDIS

SENSITIVE
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STATE FOR AF/S GABRIELLE MALLORY
STATE FOR INR/AA

E.O. 12958: N/A

TAGS: [PGOV](#) [KDEM](#) [KCOR](#) [MI](#)

SUBJECT: VICE-PRESIDENT ARRESTED FOR TREASON

REF: A. LILONGWE 137

[1B](#). LILONGWE 163

[1C](#). LILONGWE 258

[1D](#). 05 LILONGWE 15

LILONGWE 00000376 001.2 OF 002

[11](#). (SBU) Summary: Vice-President Cassim Chilumpha was arrested on April 28 and charged with treason and conspiracy to commit murder, for an alleged plot to assassinate President Mutharika. The Government claims Chilumpha, who has long been estranged from Mutharika, and four others hired a hit-man in South Africa to kill the President. Four days after his arrest, Chilumpha is still being held in severely over-crowded Maula prison, and has yet to have a bail hearing. The Minister of Justice claims the government has audio recordings of Chilumpha and his alleged cohorts plotting, and will present the alleged hit-man as a witness in the case. However, it remains to be seen exactly what credible evidence the government--which has been trying to rid itself of Chilumpha for months (reftels)--will be able to put forward in court. End Summary.

Arrested for Treason and Conspiracy

[12](#). (U) Police arrested Chilumpha and three of his alleged accomplices late on the evening of April 28, and are reportedly still searching for the fourth suspect. Chilumpha and the three others, confined in Lilongwe's Maula prison on Friday night, were not charged until Sunday, April 30th. Three of the alleged co-conspirators are members of the United Democratic Front (UDF) executive board, and the fourth is the leader of the Malawi Democratic Party (MDP), a minor party not represented in parliament. The government claims that Chilumpha, acting with his accomplices, plotted to, "have his Excellency Dr. Bingu wa Mutharika assassinated so that he could ascend to the high office of State President," according to a statement from the Ministry of Justice. Chilumpha's lawyer plans to file court documents on May 2 making the case that Chilumpha has immunity from prosecution under the law, and he will apply for bail for his alleged co-conspirators.

VP in Trouble Again

[13](#). (SBU) Chilumpha and President Mutharika have been estranged since Mutharika pulled out of the United Democratic Front (UDF) party and launched his own party over a year ago. Chilumpha chose to remain in the UDF, and stayed loyal to

former President Bakili Muluzi. Since then Mutharika has tried unsuccessfully to rid himself of Chilumpha, including accepting his "constructive resignation" in early 2006 (reftel B) and withdrawing the VP's security detail, vehicles and other perks of office. That move was blocked by the Supreme court in the form of an injunction, and government was forced to back down. Mutharika subsequently forbade Chilumpha from attending any public functions. In recent weeks, the VP controversy had subsided, and there was no mention of Chilumpha in debates during last month's sitting of Parliament.

The Muslim Angle

¶4. (SBU) One by-product of Mutharika's continuing battle with Chilumpha has been the souring of the Muslim community's relationship with the President's government. Malawi's Muslim community, which makes up roughly 20 percent of the population, widely identifies with the UDF (both Muluzi and Chilumpha are Muslim). Acts against Chilumpha are seen by some Muslim leaders as examples of targeted government discrimination against the Muslim community. In this particular instance, the majority of Chilumpha's alleged co-conspirators, along with his lawyer, are also Muslim. Though there are few signs that the government is indeed targeting Muslims, the government has not effectively addressed that perception and seems content to ignore it.

Comment: Is the Plot For Real?

¶5. (SBU) On the surface, the charges against Chilumpha come across as a little far fetched, and many Malawians will see this as just another attempt by government to remove Chilumpha from office. This is the second alleged assassination attempt on Mutharika in 15 months. The first

LILONGWE 00000376 002.2 OF 002

one in January 2005 (ref D), in which Chilumpha was not involved, resulted in a pre-trial presidential pardon for the three alleged co-conspirators, one of whom has since joined the president's new party and been elevated to a deputy minister position in government. Malawians could hardly be blamed for taking the view that accusations of assassination plots have a political overtone.

¶6. (SBU) Rumors of President Mutharika being sick with cancer have floated around Lilongwe over the past six months, which, if true, would be motivation enough for Mutharika to attempt to put someone else into the Vice-President's office. Also, coming just weeks after the government's last failed attempt to remove Chilumpha and hours after the end of the parliamentary session, the timing of these treason allegations is suspicious, to say the least. Placing the VP in prison over the weekend, rather than under house arrest, also shows how personal the rift between Mutharika and Chilumpha has become.

¶7. (SBU) That said, there is no love lost for Chilumpha among the general public, and the subdued public reaction since the arrest would indicate that many Malawians seem willing to believe that the VP (and through him Muluzi) would go to extreme measures to put the UDF back in power. In the end, the plausibility of the charges will come down to the evidence that the government brings to the table.

EASTHAM